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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/764,831	01/26/2004	Alfred S. Despres III	HAYES-1 CON

CONFIRMATION NO. 6892

 Mark J. Pandiscio
 Pandiscio & Pandiscio
 470 Totten Pond Road
 Waltham, MA 02154

FORMALITIES LETTER



OC000000012503832

Date Mailed: 05/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$194 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1094 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$194

08/06/2004 FFAHAI2 00000047 10764831

 02 FC:1001
 03 FC:1051
 04 FC:1201
 05 FC:1202

 770.00 OP
 130.00 OP
 86.00 OP
 108.00 OP

- \$86 for 1 independent claims over 3.
- \$108 for 6 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

KT

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Alfred S. Despres III et al.
Serial No.: 10/764,831
Filed: 01/26/2004
For: MODULAR FEMORAL STEM COMPONENT FOR
A HIP JOINT PROSTHESIS
Group Art Unit: 3738
Examiner: unknown
Attorney's Docket No.: HAYES-1 CON

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL,
POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER
FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

August 3, 2004

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

James A. Sheridan 8/3/04
(SIGNATURE)

August 3, 2004

(DATE OF SIGNATURE)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION - FILING DATE GRANTED

In response to the outstanding NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, Applicant
hereby respectfully submits the following:

(1) one (1) check in the amount of \$770.00 to cover the
statutory basic filing fee, this charge having been calculated on
the basis of Large Entity status;

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(2) one (1) check in the amount of \$130.00 to cover the surcharge for the late filing of the declaration, this charge having been calculated on the basis of Large Entity status;

(3) one (1) check in the amount of \$194.00 to cover the additional claim fees, this charge having been calculated on the basis of Large Entity status; and

(4) a duplicate copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, as requested in the Notice.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

A duplicate copy of this RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED is enclosed for the convenience of the Patent and Trademark Office.

Respectfully submitted,

James A. Sheridan 8/3/04

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